

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:

Bernice Louellen Shippen,
Debtor.

Case No. 24-11427

Chapter 13

Debtor's Motion to Extend the Automatic Stay

AND NOW, Debtor Bernice Louellen Shippen, by and through their attorney, moves this Court for an order extending the automatic stay under 11 U.S.C. § 362(c)(3)(B). In support of this motion, the Debtor states as follows:

1. The Debtor filed this case under chapter 13 on April 29, 2024.
2. The trustee in this case is Kenneth E. West.
3. The Debtor has not yet filed a chapter 13 plan and all statements, schedules, and related documents as required by Fed. R. Bankr. P. 1007(b) but intends to do so in a timely manner.
4. The Debtor filed Case No. 23-10429 in the Eastern District of Pennsylvania under chapter 13 on February 14, 2023, which was dismissed on November 16, 2023 for failure to make plan payments.
5. Because the Debtor had one bankruptcy case pending in the past year, the automatic stay is set to expire thirty days after the instant case was filed. 11 U.S.C. § 362(c)(3)(A).
6. The Court may extend the automatic stay upon notice, hearing, and a showing that the instant case was filed in good faith. 11 U.S.C. § 362(c)(3)(B). A case is filed in good faith when there are positive changing circumstances showing that a debtor can successfully see a chapter 13 through to the end. *In re Legree*, 285 B.R. 615, 620 (Bankr. E.D. Pa. 2002).
7. This case was filed in good faith. The debtor has familiarized herself with the trustee office's payment system since the dismissal of her previous case and plans to use automatic payment withdrawals to avoid falling behind in the instant case.
8. Because this case was filed in good faith, the Court must continue the automatic stay against all creditors for the duration of this case.

NOW, THEREFORE, the Debtor asks this Court to grant relief in the form of order attached and to grant such other relief in their favor as may be necessary and proper under the law.

Date: April 29, 2024

CIBIK LAW, P.C.
Counsel for Debtor

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